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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,302	05/27/2005	Makoto Kodaira	SAK-37	4487

24956 7590 06/22/2006

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EXAMINER

CHUNG TRANS, XUONG MY

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/517,302	KODAIRA, MAKOTO	
	Examiner	Art Unit	
	Xuong M. Chung-Trans	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This is responsive to the amendment filed on March 27, 2006. Claims 1 and 2 have been amended, claim 5 has been cancelled and new claim 6 has been added. Therefore, claims 1-4 and 6 are pending in this application.

2. Claims 1-4 and 6 are objected to under **37 C.F.R. Rule 1.75(d)(1)**. The terms and the phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. In particular, "a mechanism maintaining a coaxial structure, a mechanism rotating with, said central contact and said external contact having a coaxial structure, said central conductor connecting member and the external conductor conducting connecting member having a coaxial structure, a mechanism rotating with an ... while maintaining the coaxial structure of the ...". Correction is required.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-4 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Furthermore, it is

unclear to the Examiner exactly what applicant trying to convey with the terms for example "a mechanism maintaining a coaxial structure, a mechanism rotating with, said central contact and said external contact having a coaxial structure, said central conductor connecting member and the external conductor conducting connecting member having a coaxial structure, and a mechanism rotating with an ... while maintaining the coaxial structure of the ...". Further, as claim 2, the limitation "a coaxial structure" in lines 8-9 is not clear as to whether its indicate the same "a coaxial structure" as in line 2; as per claim 3, the term "said cylindrical conductor portions"; "said one protrusion" and "the opening" lack antecedent basis.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. The rejection of claims 1-2 as being anticipated by Imai (JP5-94974), as stated in the Office action mailed December 27, 2005, is incorporated by reference.

7. Claims 1-4 and 6, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al. (JP 58-73584).

As per claim 1, Tanaka discloses a coaxial cable 19 with a plug 7 comprising an external conductor (22) allowing an insulator to intervene on a periphery of a central conductor (21), and the plug (7) comprising a central contact (9) electrically connected

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to the central conductor (21) and an external contact (11) electrically connected to the external conductor (22), wherein the plug further comprises a mechanism (16) for maintaining a coaxial structure of the central contact (9) and the external contact (11), and a mechanism (118) for rotating with an axis in a direction orthogonal to an axial direction of the central conductor as a rotational axis while maintaining respective electrical connection with the central contact and the central conductor and the external contact and the external conductor.

As per claim 2, Tanaka discloses a coaxial cable with a plug, comprising an external conductor (22) allowing an insulator to intervene on a periphery of a central conductor (21), and the plug comprising a central contact (9) electrically connected to the central conductor (21) and an external contact (11) electrically connected to the external conductor (22), wherein the plug comprises a contact portion comprising the central contact 9 and the external contact 11, with the central contact and the external contact having a coaxial structure, and a main body unit (16) comprising a central conductor connecting member (13, 9, 21) electrical connecting the central contact (9) and the central conductor (21), an external conductor connecting member electrical connecting the external contact (11b) and the external conductor (22), and an insulating member (12) electrically insulating the central conductor connecting member and the external conductor connecting member, with the central conductor connecting member and external conductor connecting member having a coaxial structure, and the contact portion (11) has a mechanism rotating with an axis in a direction orthogonal to an axial direction of the central contact as a rotational axis while maintaining the coaxial

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structure of the central contact and the external contact, the coaxial structure of the central conductor connecting member and external conductor connecting member, electrical connections with the central contact and the central conductor connecting member and electrical connections with the external contact and the external conductor connecting members.

As per claim 3-4 and 6, no prior art has been applied due to the indefinite rejection discussed above.

8. Applicant's arguments filed March 27, 2006 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies "a mechanism maintaining a coaxial structure, a mechanism rotating with, said central contact and said external contact having a coaxial structure, said central conductor connecting member and the external conductor conducting connecting member having a coaxial structure, and a mechanism rotating with an ... while maintaining the coaxial structure of the ..." are not clear as discussed above. As for the examination purpose, broad interpretation has been given and these limitations are still met by the Imai reference (see fig. 3).

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuong M. Chung-Trans whose telephone number is (571) 272-2002. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 extension 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X. Chung-Trans



BRIGGITTE HAMMOND
PRIMARY EXAMINER